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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
08/939,050	09/26/1997	JASON I. GLITHERO	A61-16737-US	3492

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HONEYWELL INTERNATIONAL INC.
101 COLUMBIA ROAD
P O BOX 2245
MORRISTOWN, NJ 07962-2245

EXAMINER

MENGISTU, AMARE

ART UNIT	PAPER NUMBER
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2673

DATE MAILED: 12/19/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

08/939,050

Applicant(s)

GLITHERO, JASON I.

Examiner

Amare Mengistu

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3,5-6,8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art (fig.1) in view of John L. Weston (GB 2174663A).

As to claims 1,5, and 8; Applicant's Admitted Prior Art (hereinafter AAPA) discloses an input device for an aircraft/vehicle computer system (see, fig. 1, pages 1-2) comprising: a cursor control including, a wrist rest (fig.1 (11A)); a cursor control device (fig.1 (12)) mounted on said forward of said wrist rest portion and within finger reach of said wrist rest, said device generating cursor control signals representative of said device (see, page 6, lines 29-33); a select button (fig.1 (13)) mounted on said console generating a signals indicating of an activation of the select button .

Applicant's Admitted Prior Art did not teach a rotary knob mounted on said console. However, the patent of John L. Weston (hereinafter Weston) clearly states that it is well known for an aircraft console to have knob (figs.2-5 (22)); a switch (23) and a scroll buttons (24,25) and rotating said knob to selected desired value for said parameter (see, page,2, col.1, lines 65- col.2, lines 92).

Therefore, it would have been obvious to one skill in the art at the time of the invention was made to have been motivated to incorporate a knob into the aircraft .

console as taught Weston into the device of Applicant's Admitted Prior Art, because this is an advantage for the input device of Applicant's Admitted Prior Art in order so that the user can rotate the knob easily to achieve an accurately set value.

As to claims 2 and 6, it is conventional for a rotary knob to have a coarse-fine knob (see, page 6, line 22-23).

As to claim 3, Weston teaches a knob, it is obvious that the rotary knob (22) is extending axially from its housing.

3. Claims 4,7,9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's Admitted Prior Art (fig.1) in view of Weston as applied to claims 1-3,5-10 above, and further in view of Aerospace Engineering (December 1994).

As to claims 4,7,9-10; Applicant's Admitted Prior Art (hereinafter AAPA) discloses an input device for an aircraft/vehicle computer system (see, fig. 1, pages 1-2) comprising: a cursor control including, a wrist rest (fig.1 (11A)); a cursor control device (fig.1 (12)) are mounted on a input housing within finger reach of said wrist rest, said device generating cursor control signals representative of said device (see, page 6, lines 29-33); a select button (fig.1 (13)) mounted on said housing generating a signals indicating of an activation of the select button .

Applicant's Admitted Prior Art did not teach a rotary knob mounted on said console. However, the patent of John L. Weston (hereinafter Weston) clearly states that it is well known for an aircraft console to have knob (figs.2-5 (22)); a switch (23) and a

scroll buttons (24,25) and rotating said knob to selected desired value for said parameter (see, page,2, col.1, lines 65- col.2, lines 92).

Applicant's Admitted Prior Art (fig.1) as modified by Weston discloses an aircraft input device including a cursor controller, a knob and a switch, but has failed to teach manipulating a cursor control device to select a desired parameter and also the input device having a joystick. The Aerospace Engineering article states the cursor to selected the desired parameter (see, page 13, col.2, the last 4 lines – col.3, line 4 (selecting checklist)) and suggest that a joystick can also be used in an aircraft input device (page 13 "Table 1"; col.3, last paragraph).

Therefore, it would have been obvious to one skill in the art at the time of the invention was made to have been motivated to incorporate the Aerospace Engineering joystick into the input device of Applicant's Admitted Prior Art since this will allow the pilot to maneuver the input device in a limited space with good reliability.

Response to Arguments

4. Applicant's arguments with respect to claims 1-10 have been considered but are moot in view of the new ground(s) of rejection.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amare Mengistu whose telephone number is (703)305-4880. The examiner can normally be reached on M-F,T-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Bipin Shalwala can be reached on (703)305-4938. The fax phone numbers

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for the organization where this application or proceeding is assigned are (703)872-9314 for regular communications and (703)872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-9600.

A handwritten signature in black ink, appearing to read "Amare Mengistu". The signature is fluid and cursive, with a long horizontal stroke at the end.

Amare Mengistu
Primary Examiner
Art Unit 2673

A.M
December 6, 2002